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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,366	01/26/2001	Prasad Dasika	CNA-400	7919
47372	7590	12/21/2004	EXAMINER	
BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22042-1248			NGUYEN, HANH N	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,366

Applicant(s)

DASIKA ET AL.

Examiner

Hanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Application filed on 01/25/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/7/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-9, 11, 13-16, 18, 19, 21, 23-26, 29, 30, 32, 34-36, 37, 39, 40, 42 and 44 are rejected under 35 USC 102(e) as being anticipated by Goodman et al. (Pat. 6,636,529 B1).

In claims 1, 6, 23, Goodman discloses a communications device (device 130 with I/F 190, Fig.1) for use in a communications network (SONET/SDH network, Fig.1). See col.7, lines 10-30. The communications device comprising:

a plurality of interface ports (physical I/Fs 400, 410, Ethernet physicals I/F 420, Fig.4), said interface port 420 receiving a first signal (digital data signals) in a first format (Ethernet LAN 120, Fig.1). See col.9, lines 50-55 & col.7, lines 7-15. A processor (FPGA 360, Fig.3) coupled to said plurality of interface ports (physical interfaces 340). See col.9, lines 27-35. The processor receiving said first signals (digital data signals), provisioning an overhead byte (stuff 16 bit special header , see block 500, fig.4, col.10, lines 12-25) associated with one of said first signals to form a provisioned overhead byte and multiplexing (mux/demux 310, Fig.3) said first signals to generate a multiplexed signal. See col.9, lines 1-5. A framer (SDH framing 300, fig.3) coupled to said processor, said framer receiving said multiplexed signal (multiplexed signals input from mux 310) and said provisioned overhead byte (stuff header) and placing said

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multiplexed signal and provisioned overhead byte in a second format (SONET/SDH format) to provide a second signal (SONET signal) for transmission on the communications network (SONET/SDH network, Fig.1). See col.9, lines 1-5 & col.10, lines 35-40.

In claims 7, 13 and 34, Goodman discloses a framer (SDH framing 300, Fig.3) for receiving a second signal (multiplexed SONET/SDH signals) in a second format (SDH/SONET) from the communications network (SDH/SONET network), said framer extracting a multiplexed signal and a provisioned overhead byte from said second signal (see col.9, lines 38-45, Fig.5). A processor (FPGA 360, fig.3) coupled to said framer (framing 300, fig.3), said processor receiving said provisioned overhead byte and said multiplexed signal and comparing said provisioned overhead byte to a path label associated with the communications device (see col.10, lines 55-60, Fig.5), said processor demultiplexing said multiplexed signal to form a plurality of first signals in a first format if said provisioned overhead byte matches said path label; and, an interface port (physical I/F 600, fig.5) coupled to said processor, said processor directing one of said first signals to said interface port if said provisioned overhead byte matches said path label (see col.9, lines 38-45 & col.10, lines 40-65).

In claim 44, the subject matters of this claim have been disclosed in claims 1 and 13.

In claims 2, 14, 24 and 35, Goodman discloses said provisioned overhead byte (stuff 16 bit header, Fig.6) provisioned to include a destination address. See col.10, lines 1-12.

In claims 3, 15, 25 and 36, Goodman et al. discloses said provisioned overhead byte is provisioned to include a transmission frequency (wavelength, See col.7, lines 45-50 & Fig.2).

In claims 4, 16, 26 and 37, Goodman et al. discloses said provisioned overhead byte (stuff header) is provisioned to include a source address. See claim 1, col.10, lines 1-12.

In claims 8, 18, 29 and 39, Goodman et al. discloses the first format is gigabit ethernet (gigabits ethernet). See col.1, lines 35-40).

In claims 9, 11, 19, 21, 30, 32, 40 and 42, Goodman discloses the second format is SONET/SDH. (See claim 1, Abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 12, 20, 22, 31, 33, 41 and 43 are rejected under 35 USC 103(a) as being unpatentable over Goodman et al. (Pat. 6,636,529 B1) in view of Wakim (Pat. 6,477,178 B1).

In claims 10, 12, 20, 22, 31, 33, 41 and 43, Goodman et al. does not disclose the overhead byte is byte J1 in SONET and SDH standard. Wakim discloses a network element (element 12, fig.1) mapping telecommunication signals having a first format (SONET) into a transport signal having a second format (SDH) by identifying J1 byte for each signal type in overhead portion. See col. 6, line 60 to col.7, line 5 & col.9, lines 5-10 & col.10, lines 8-25. Therefore, it would have been obvious to one ordinary skill in the art to insert J1 byte in the stuff header of SONET SPEs or SDH transport signals to ensure that desired /sensitive signal is received at a destination.

Claims 5, 17, 27 and 38 are rejected under 35 USC 103(a) as being unpatentable over Goodman et al. (Pat. 6,636,529 B1)

In claims 5, 17, 27 and 38, Goodman et al. does not disclose overhead byte includes a common language location identifier. It is a well-known skill in the sonet frame that overhead byte comprising user identification. Therefore, it would have been obvious to one ordinary skill in the art to have a location identifier byte in overhead byte of Goodman 's SONET signals to transmit signal to correct destination.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Donovan et al. (Pat. 6,122,281) discloses Method and Apparatus for Transmitting LAN data over a Synchronous WAN.

Russell et al. (Pat. 6,704,326 B2) discloses Payload mapping in Synchronous networks.

Tsukamoto et al. (Pat. 6,498,794 B1) discloses Transmitter with Cell Switching Function.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 703 306-5445. The examiner can normally be reached on Monday-Friday from 8AM to 5PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HANH NGUYEN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Hanh Nguyen', written in a cursive style.